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From: Clemmer, Jill (DPH)
Sent: Friday, December 23, 2011 2:49 PM
To: Elvin, Paul (DPH); Hennigan, Scott (DPH); Konomi, Raimond (DPH); Gauthier, Cheryl (DPH); Belanger, Peter (DPH); Rubin, Alan (DPH); Salemi, Charles (DPH); Borne, Alan (DPH)
Cc: Borne, Deborah (DPH); Han, Linda (DPH); Caloggero, Dina (DPH)
Subject: FW: Staff Working on 12/26/11

FYI, please inform your staff of their option to choose a days pay or a compensatory day within 60 days if they are required to work on the 12/26/11 holiday. Thank you.

From: Caloggero, Dina (DPH)
Sent: Friday, December 23, 2011 11:51 AM
To: King, Karen (EHS)
Cc: Clemmer, Jill (DPH); Han, Linda (DPH)
Subject: RE: Staff Working on 12/26/11

Hi Karen,

Can you respond to this? My understanding is that the provisions outlined in section 10.5 will be implemented.

Thanks...Dina

From: Clemmer, Jill (DPH)
Sent: Friday, December 23, 2011 11:29 AM
To: Caloggero, Dina (DPH)
Subject: FW: Staff Working on 12/26/11

Hi Dina –

I sent this to Linda without much lead-time... Since she's out, can you give it a look and reply?

Thank you!

MERRY MERRY,
Jill

From: Clemmer, Jill (DPH)
Sent: Friday, December 23, 2011 7:52 AM
To: Han, Linda (DPH)
Subject: Staff Working on 12/26/11

Hi Linda –

I've heard that some of our laboratories will have mandatory staffing on the Christmas Holiday, 12/26/11. I trust that the options of a days pay or a compensatory day off within 60days are being offered to these employees – can you confirm that the options have been communicated? The MOSES contract excerpt covering Holiday pay is listed below for reference, I believe that section10.5 is relevant. Please let me know if I

can assist with communicating this to the laboratories that will be staffed that day, or if you have any contract questions.

Thanks,

Jill

MOSES Contract Holiday Pay Sections:

Section 10.3

When a holiday occurs on the regular scheduled workday of an employee, he/she, if not required to work that day, shall be entitled to receive his/her regular day's pay for such holiday.

Section 10.4

When a holiday occurs on a day that is not an employee's regular workday, if the employee's usual workweek is five or more days, he/she at the option of the Employer shall receive pay for one day at his/her regular rate or one compensatory day off with pay within sixty days following the holiday to be taken at a time requested by the employee and approved by the agency head.

Section 10.5

Notwithstanding any other contract provisions, an employee who is required to work his/her regular shift on a holiday (and the employee was not otherwise scheduled to work said holiday), shall be entitled to elect, for the first five times per calendar that such occurs to receive either: (a) one day's pay in addition to regular pay for compensation for working on the holiday; or (b) a compensatory day off with pay within sixty days following the holiday to be taken at a time requested by the employee and approved by the agency head or if a compensatory day cannot be granted by the agency/department because of a shortage of personnel or other reasons then he/she shall be entitled to pay for one day at his/her regular rate of pay in addition to pay for the holiday worked.

Once five such occasions per calendar year have passed, the employee shall then receive a compensatory day off with pay within sixty days following the holiday to be taken at a time requested by the employee and approved by the agency head or if a compensatory day cannot be granted by the agency/department because of a shortage of personnel or other reasons then he/she shall be entitled to pay for one day at his/her regular rate of pay in addition to pay for the holiday worked.